

**SUBSTITUTE AMENDMENT TO THE AMENDMENT IN  
THE NATURE OF A SUBSTITUTE TO H.R. 734  
OFFERED BY M\_\_ . \_\_\_\_\_**

Strike all after the enacting clause and insert the  
following:

**1 SECTION 1 . SHORT TITLE.**

2       This Act may be cited as the “Fair Play for Women  
3 Act”.

**4 SEC. 2. FINDINGS.**

5       Congress finds the following:

6           (1) over 50 years ago, Congress passed title IX  
7       of the Education Amendments of 1972 (referred to  
8       in this section as “title IX”), helping to transform  
9       participation in and support for women’s sports by  
10      barring discrimination on the basis of sex in all  
11      schools that receive Federal funding, including in  
12      their athletic programs.

13          (2) Since the passage of title IX, millions more  
14      women and girls have had the opportunity to com-  
15      pete in interscholastic athletics. At the high school  
16      level, athletic participation opportunities have in-  
17      creased from nearly 300,000 in 1972 to more than  
18      3,400,000 in 2019. At the collegiate level, opportuni-

1       ties have increased from nearly 30,000 in 1972 to  
2       215,000 in 2020 on teams sponsored by institutions  
3       who are members of the National Collegiate Athletic  
4       Association (referred to in this section as the  
5       “NCAA”).

6           (3) Despite progress, women and girls still face  
7       unequal opportunities. At the high school level, girls  
8       have over 1,000,000 fewer athletic opportunities  
9       than boys, with schools providing girls with 43 per-  
10      cent of all athletic opportunities while girls represent  
11      nearly half of all students. At the collegiate level,  
12      colleges would need to provide women with an addi-  
13      tional 148,000 sports opportunities to match the  
14      same ratio of sports opportunities per student as is  
15      offered to men.

16          (4) Girls of color are often most impacted by  
17      inequitable opportunities. At high schools predomi-  
18      nantly attended by White students, girls have 82  
19      percent of the opportunities that boys have to play  
20      sports, while at high schools predominantly attended  
21      by students of color, girls have only 67 percent of  
22      the opportunities that boys have to play sports.

23          (5) The magnitude of current gaps in intercolle-  
24      giate participation opportunities is likely under-  
25      counted, as investigations of intercollegiate athletics

1 data have found that the majority of NCAA member  
2 institutions inflate the number of women partici-  
3 pating in sports by double- and triple-counting  
4 women athletes who participate in more than one  
5 sport more often than the institutions double- and  
6 triple-count their male counterparts, counting male  
7 practice players on women's teams as women ath-  
8 letes, and packing women's teams with extra players  
9 who never end up competing.

10 (6) Women and girls in sports also face unequal  
11 treatment. They are frequently provided worse facili-  
12 ties, equipment, and uniforms than men and boys,  
13 and they receive less financial support and publicity  
14 from their schools, as women receive \$240,000,000  
15 less than men in athletic-based scholarships annu-  
16 ally. For every dollar colleges spend on recruiting,  
17 travel, and equipment for men's sports, they spend  
18 58 cents, 62 cents, and 73 cents, respectively, for  
19 women's sports.

20 (7) Amid ongoing inequitable treatment, ath-  
21 letes and athletics-related staff too often are un-  
22 aware of the rights and obligations that are de-  
23 scribed in or come from title IX. In surveys of chil-  
24 dren and their parents, the majority report not  
25 knowing what title IX is. A study conducted by the

1 Government Accountability Office in 2017 found  
2 that the majority of high school athletic administra-  
3 tors were unaware of who their title IX coordinator  
4 was or felt unsupported by their title IX coordinator.  
5 In collegiate sports, the majority of coaches report  
6 that they never received formal training about title  
7 IX as part of the preparation for their jobs.

8 **SEC. 3. AMENDMENTS.**

9 Title IX of the Education Amendments of 1972 (20  
10 U.S.C. 1681 et seq.) is amended—

11 (1) in section 901 by adding at the end the fol-  
12 lowing:

13 “(d) DISCRIMINATION BY INTERCOLLEGIATE ATH-  
14 LETIC ASSOCIATIONS.—

15 “(1) IN GENERAL.—No intercollegiate athletic  
16 association shall, on the basis of sex, subject any  
17 athlete to discrimination with respect to intercolle-  
18 giate athletics, including discrimination through—

19 “(A) the rules it sets for intercollegiate  
20 athletics;

21 “(B) the sports required for association  
22 membership or the sports sponsored for associa-  
23 tion competitions or supported with association  
24 championships;

1           “(C) the location, facilities, or amenities  
2           provided for association competitions or cham-  
3           pionships;

4           “(D) the provision or arrangement for the  
5           provision of goods or services (including bene-  
6           fits) for association competitions or champion-  
7           ships; or

8           “(E) the distribution of revenues or other  
9           benefits to association members or institutions  
10          under the authority of the association.

11          “(2) PRIVATE RIGHT OF ACTION.—A covered  
12          institution of higher education that is a member of  
13          or under the authority of an intercollegiate athletic  
14          association, or an individual who applies to partici-  
15          pate, participates, or previously participated in inter-  
16          collegiate athletics, at a covered institution of higher  
17          education that is a member of or under the author-  
18          ity of an intercollegiate athletic association, may  
19          bring an action in any Federal or State court of  
20          competent jurisdiction against the intercollegiate  
21          athletic association to remedy a violation of this sec-  
22          tion. The court may award such legal or equitable  
23          relief as may be appropriate for such a violation.  
24          The legal relief may include compensatory damages

1       for emotional distress, humiliation, or pain and suf-  
2       fering.

3           “(3) TRAINING.—Each intercollegiate athletic  
4       association shall ensure that each employee of the  
5       association receives, at least once per year, training  
6       on the provisions of this section, including the rights  
7       delineated under this section and the procedures for  
8       bringing actions under this section.

9           “(4) DEFINITIONS.—In this subsection:

10           “(A) COVERED INSTITUTION OF HIGHER  
11       EDUCATION.—

12           “(B) INTERCOLLEGIATE ATHLETIC ASSO-  
13       CIATION.—The term ‘intercollegiate athletic as-  
14       sociation’ means any conference, association, or  
15       other group or organization, established by or  
16       comprised of 2 or more covered institutions of  
17       higher education, that—

18           “(i) governs competitions among, or  
19       otherwise exercises authority over inter-  
20       collegiate athletics at, such institutions of  
21       higher education who are members of or  
22       under the authority of the intercollegiate  
23       athletic association; and

24           “(ii) is engaged in commerce or an in-  
25       dustry or activity affecting commerce.”.

1           (2) by redesignating sections 904 through 908  
2           as sections 905 through 909, respectively,

3           (3) by inserting after section 904 the following:

4   **“SEC. 904 EXPANDING EQUITY IN ATHLETICS DISCLOSURE**  
5           **REQUIREMENTS.**

6           “(a) DISCLOSURE OF STATISTICS ON EQUALITY IN  
7   COLLEGE ATHLETIC PROGRAMS.—

8           “(1) IN GENERAL.—Each coeducational institu-  
9           tion of higher education that participates in any pro-  
10          gram under in any education program or activity re-  
11          ceiving Federal financial assistance, and has an  
12          intercollegiate athletic program, shall annually, for  
13          the immediately preceding academic year, prepare a  
14          report that contains the following information re-  
15          garding intercollegiate athletics:

16               “(A) The number of male and female full-  
17               time undergraduates that attended the institu-  
18               tion.

19               “(B) A listing of the varsity teams that  
20               competed in intercollegiate athletic competition  
21               and for each such team the following data:

22                       “(i) The total number of participants,  
23                       by team.

24                       “(ii) Total operating expenses attrib-  
25                       utable to such teams, except that an insti-

1           tution may also report such expenses on a  
2           per capita basis for each team and expend-  
3           itures attributable to closely related teams  
4           such as track and field or swimming and  
5           diving, may be reported together, although  
6           such combinations shall be reported sepa-  
7           rately for men’s and women’s teams.

8           “(iii) Whether the head coach is male  
9           or female and whether the head coach is  
10          assigned to that team on a full-time or  
11          part-time basis. Graduate assistants and  
12          volunteers who serve as head coaches shall  
13          be considered to be head coaches for the  
14          purposes of this clause.

15          “(iv) The number of assistant coaches  
16          who are male and the number of assistant  
17          coaches who are female for each team and  
18          whether a particular coach is assigned to  
19          that team on a full-time or part-time basis.  
20          Graduate assistants and volunteers who  
21          serve as assistant coaches shall be consid-  
22          ered to be assistant coaches for the pur-  
23          poses of this clause.

24          “(C)(i) The total amount of money spent  
25          on athletically related student aid, including the



1 value of waivers of educational expenses, sepa-  
2 rately for men's and women's teams overall.

3 “(ii) For each men's and women's  
4 sport—

5 “(I) the total amount of athlet-  
6 ically related student aid;

7 “(II) the total number of athlet-  
8 ically related scholarships, and the av-  
9 erage amount of such scholarships;

10 “(III) the total number of athlet-  
11 ically related scholarships that fund  
12 the full cost of tuition at the institu-  
13 tion;

14 “(IV) the total number of athlet-  
15 ically related scholarships that fund  
16 the full cost of attendance for the ath-  
17 lete;

18 “(V) the total number of athlet-  
19 ically related scholarships awarded for  
20 a period equal to or less than one  
21 year; and

22 “(VI) the total number of athlet-  
23 ically related scholarships awarded for  
24 a period equal to or greater than aca-  
25 demic years.

1           “(D) The ratio of athletically related stu-  
2           dent aid awarded male athletes to athletically  
3           related student aid awarded female athletes.

4           “(E) The total amount of expenditures on  
5           recruiting, separately for men’s and women’s  
6           teams overall and disaggregated by each men’s  
7           sport and each women’s sport.

8           “(F) The total annual revenues generated  
9           across all men’s teams and across all women’s  
10          teams, except that an institution may also re-  
11          port such revenues by individual team.

12          “(G) The average annual institutional sal-  
13          ary (which, for purposes of this subparagraph,  
14          includes compensation, bonuses, benefits, and  
15          buyouts paid to coaches and reportable by the  
16          institution or related entities, including booster  
17          clubs and foundations) of the head coaches of  
18          men’s teams, across all offered sports, and the  
19          average annual institutional salary of the head  
20          coaches of women’s teams, across all offered  
21          sports.

22          “(H) The average annual institutional sal-  
23          ary (which, for purposes of this subparagraph,  
24          includes compensation, bonuses, benefits, and  
25          buyouts paid to coaches and reportable by the

1 institution or related entities, including booster  
2 clubs and foundations) of the head coaches of  
3 men’s teams, across all offered sports, and the  
4 average annual institutional salary of the head  
5 coaches of women’s teams, across all offered  
6 sports.

7 “(I) The average annual institutional sal-  
8 ary (which, for purposes of this subparagraph,  
9 includes compensation, bonuses, benefits, and  
10 buyouts paid to coaches and reportable by the  
11 institution or related entities, including booster  
12 clubs and foundations) of the assistant coaches  
13 of men’s teams, across all offered sports, and  
14 the average annual institutional salary of the  
15 assistant coaches of women’s teams, across all  
16 offered sports.

17 “(J)(i) The revenues from the institution’s  
18 intercollegiate athletics activities, in the aggre-  
19 gate and disaggregated by each men’s sport and  
20 each women’s sport, including—

21 “(I) total revenues; and

22 “(II) each category of revenues  
23 described in clause (ii).

24 “(ii) For the purpose of clause (i),  
25 revenues from intercollegiate athletics ac-

1           activities allocable to a sport shall include  
2           (without limitation) gate receipts, broad-  
3           cast revenues, appearance guarantees and  
4           options, concessions, advertising, and, to  
5           the extent practicable, student activities  
6           fees and alumni contributions.

7           “(K)(i) The expenses made by the institu-  
8           tion for the institution’s intercollegiate athletics  
9           activities, in the aggregate and disaggregated  
10          by each men’s sport and each women’s sport,  
11          including—

12                       “(I) total expenses; and

13                       “(II) each category of expenses  
14                       as described in clause (ii).

15           “(ii) For the purpose of clause (i), ex-  
16           penses for intercollegiate athletics activities  
17           allocable to a sport shall include (without  
18           limitation) grants-in-aid, salaries, travel,  
19           equipment, and supplies, but expenses such  
20           as general and administrative overhead not  
21           so allocable shall be included in the cal-  
22           culation of total expenses only.

23           “(L) The numbers of participants who par-  
24           ticipate in 1, 2, or 3 intercollegiate sports at  
25           the institution, in the aggregate and

1 disaggregated by each men’s sport and each  
2 women’s sport.

3 “(M) The total number of male players  
4 that practice on women’s teams, in the aggregate  
5 and disaggregated by each women’s sport.

6 “(N) Information regarding race and ethnicity  
7 for athletes and coaches (including assistant  
8 coaches), in the aggregate and  
9 disaggregated by each men’s sport and each  
10 women’s sport.

11 “(O) A certification that the institution  
12 has verified the information submitted in the  
13 report under this paragraph.

14 “(P) With respect to the sports participation  
15 opportunities requirements under this  
16 title—

17 “(i) a certification that the institution  
18 complies with such requirements by showing—  
19 ing—

20 “(I) substantial proportionality;

21 “(II) a history and continuing  
22 practice of expanding sports participation  
23 opportunities; or

24 “(III) full and effective accommodation  
25 of athletics interests; and

1                   “(ii) an identification of the method of  
2                   compliance described in subclauses (I)  
3                   through (III) of clause (i) that the institu-  
4                   tion uses.

5                   “(2) SPECIAL RULE.—For the purposes of sub-  
6                   paragraphs (G) and (H) of paragraph (1), if a coach  
7                   has responsibilities for more than one team and the  
8                   institution does not allocate such coach’s salary by  
9                   team, the institution should divide the salary by the  
10                  number of teams for which the coach has responsi-  
11                  bility and allocate the salary among the teams on a  
12                  basis consistent with the coach’s responsibilities for  
13                  the different teams.

14                  “(3) DISCLOSURE OF INFORMATION TO STU-  
15                  DENTS AND PUBLIC.—An institution of higher edu-  
16                  cation described in paragraph (1) shall make avail-  
17                  able to students and potential students, upon re-  
18                  quest, and to the public, the information contained  
19                  in the report described in paragraph (1), except that  
20                  all students shall be informed of their right to re-  
21                  quest such information.

22                  “(4) SUBMISSION; REPORT; INFORMATION  
23                  AVAILABILITY.—

1 “(A) INSTITUTIONAL REQUIREMENTS.—

2 Each institution of higher education described  
3 in paragraph (1) shall—

4 “(i) by October 15 of each year, pro-  
5 vide the information contained in the re-  
6 port required under such paragraph for  
7 such year to the Secretary; and

8 “(ii) by not later than February 15 of  
9 each year, publish such information on a  
10 public Internet website of the institution in  
11 a searchable format.

12 “(B) PUBLIC AVAILABILITY.—By not later  
13 than February of each year, the Secretary shall  
14 make the reports and information described in  
15 subparagraph (A) for the immediately preceding  
16 academic year available to the public, which  
17 shall include posting the reports and informa-  
18 tion on a public Internet website of the Depart-  
19 ment in a searchable format.

20 “(5) REPORTS BY THE SECRETARY.—

21 “(A) IN GENERAL.—By not later than 2  
22 years after the date of enactment of the Fair  
23 Play for Women Act, and every 2 years there-  
24 after, the Secretary shall prepare and publish a

1 report on gender equity using the information  
2 submitted under this subsection.

3 “(B) CONTENTS.—The report required  
4 under subparagraph (A) shall, in the aggregate  
5 for all institutions of higher education described  
6 in paragraph (1) and disaggregated by each in-  
7 dividual institution—

8 “(i) identify participant gaps, if any,  
9 by indicating the number of participants  
10 that need to be added in order for partici-  
11 pants of the underrepresented sex at the  
12 institution to match the proportion of en-  
13 rolled fulltime undergraduate students of  
14 the underrepresented sex at the institution;  
15 and

16 “(ii) identify funding gaps, if any, by  
17 showing the percentage differences, com-  
18 pared to proportions of male and female  
19 enrollment at the institution, in expendi-  
20 tures for athletically related student aid,  
21 recruiting, promotion, and publicity in  
22 intercollegiate athletics; and

23 “(iii) identify any trends evident in  
24 such data that address relevant inequities



1 in intercollegiate athletics participation and  
2 financial support.

3 “(6) DEFINITIONS.—For purposes of this sub-  
4 section, the term ‘operating expenses’ means expend-  
5 itures on lodging and meals, transportation, officials,  
6 uniforms and equipment.

7 “(b) DISCLOSURE OF STATISTICS ON EQUALITY IN  
8 ELEMENTARY AND SECONDARY EDUCATION ATHLETIC  
9 PROGRAMS.—

10 “(1) DEFINITION OF PARTICIPANT.—

11 “(A) IN GENERAL.—In this subsection, the  
12 term ‘participant’ means an athlete in a sport  
13 who participates in the sport in interscholastic  
14 competitive events, organized practice sessions,  
15 and other team meetings and activities on a  
16 regular basis during the sport’s season.

17 “(B) DEFINITION OF SEASON.—For pur-  
18 poses of paragraph (1), the term ‘season’, when  
19 used with respect to a team sport, means the  
20 period beginning on the date of a team’s first  
21 interscholastic athletic competition in an aca-  
22 demic year and ending on the date of the  
23 team’s final interscholastic athletic competition  
24 in such academic year.

1           “(2) IN GENERAL.—The Secretary shall collect  
2           annually, from each coeducational elementary school  
3           and secondary school that receives Federal financial  
4           assistance and has an interscholastic athletic pro-  
5           gram, a report that includes the following informa-  
6           tion for the immediately preceding academic year:

7                   “(A) The total number of male and female  
8                   students that attended the school, fully  
9                   disaggregated and cross-tabulated by sex and  
10                  race or ethnicity.

11                  “(B) A listing of the school’s teams that  
12                  competed in athletic competition and for each  
13                  such team the following data:

14                          “(i) The season in which the team  
15                          competed.

16                          “(ii) The total number of male and fe-  
17                          male participants, fully disaggregated and  
18                          cross-tabulated by sex and race or eth-  
19                          nicity and level of competition.

20                          “(iii) The total expenditures for the  
21                          team from all sources, including school  
22                          funds and funds provided by any other en-  
23                          tities, such as booster organizations, in-  
24                          cluding the following data:

25                                  “(I) The travel expenditures.

1 “(II) The equipment expendi-  
2 tures (including any equipment re-  
3 placement schedule).

4 “(III) The uniform expenditures  
5 (including any uniform replacement  
6 schedule).

7 “(IV) The expenditures for facili-  
8 ties, including medical facilities, locker  
9 rooms, fields, and gymnasiums.

10 “(V) The total number of train-  
11 ers and medical personnel, and for  
12 each trainer or medical personnel an  
13 identification of such individual’s—

14 “(aa) sex; and

15 “(bb) employment status  
16 (including whether such indi-  
17 vidual is assigned to the team  
18 full-time or part-time, and wheth-  
19 er such individual is a head or  
20 assistant trainer or medical serv-  
21 ices provider) and duties other  
22 than providing training or med-  
23 ical services.

24 “(VI) The expenditures for pub-  
25 licity for competitions.

1                   “(VII) The total salary expendi-  
2                   tures for coaches, including compensa-  
3                   tion, benefits, and bonuses, the total  
4                   number of coaches, and for each  
5                   coach an identification of such  
6                   coach’s—

7                               “(aa) sex; and

8                               “(bb) employment status  
9                   (including whether such coach is  
10                  assigned to the team full-time or  
11                  part-time, and whether such  
12                  coach is a head or assistant  
13                  coach) and duties other than  
14                  coaching.

15                   “(iv) The total number of competitive  
16                  events (in regular and nontraditional sea-  
17                  sons) scheduled, and for each an indication  
18                  of what day of the week and time the com-  
19                  petitive event was scheduled.

20                   “(v) Whether such team participated  
21                  in postseason competition, and the success  
22                  of such team in any postseason competi-  
23                  tion.

24                   “(3) DISCLOSURE TO STUDENTS AND PUB-  
25                  LIC.—A school described in paragraph (2) shall—

1           “(A) by October 15 of each year, make  
2           available to students, potential students, and  
3           parents of students and potential students,  
4           upon request, and to the public, the report and  
5           information required of the school under such  
6           subsection for such year; and

7           “(B) ensure that all students and parents  
8           at the school are informed of their right to re-  
9           quest such report and information.

10          “(4) SUBMISSION; INFORMATION AVAIL-  
11          ABILITY.—On an annual basis, each school described  
12          in subsection (b) shall provide the report required  
13          under such subsection, and the information con-  
14          tained in such report, to the Secretary not later than  
15          15 days after the date that the school makes such  
16          report and information available under subsection  
17          (c).

18          “(5) DUTIES OF THE SECRETARY.—The Sec-  
19          retary shall—

20               “(A) ensure that reports and information  
21               submitted under paragraph (4) are available on  
22               the same public website, and searchable in the  
23               same manner, as the reports and information  
24               made available under paragraphs (4) and (5) of  
25               subsection (a); and

1 “(B) not later than 180 days after the  
2 date of enactment of the Fair Play for Women  
3 Act—

4 “(i) notify all elementary schools and  
5 secondary schools in all States regarding  
6 the availability of the reports and informa-  
7 tion under paragraph (3) ; and

8 “(ii) issue guidance to all such schools  
9 on how to collect and report the informa-  
10 tion required under this subsection.”.

11 **SEC. 4. ADMINISTRATIVE ENFORCEMENT THROUGH CIVIL**  
12 **PENALTIES.**

13 Section 902 of the Education Amendments of 1972  
14 (20 U.S.C. 1682) is amended—

15 (1) by inserting “(a)” before “Each Federal”;  
16 and

17 (2) by adding at the end the following:

18 “(b)(1) The Secretary of Education shall determine,  
19 at the beginning of each year, each covered institution of  
20 higher education that was found during the prior year to  
21 be in noncompliance with a requirement of this title as  
22 part of an administrative proceeding under subsection (a).

23 “(2) If the Secretary determines under paragraph (1)  
24 that a covered institution of higher education was in such

1 noncompliance during the prior year, the Secretary may  
2 impose a civil penalty on the institution.

3 “(3) If the Secretary determines under paragraph (1)  
4 that a covered institution of higher education was in such  
5 noncompliance during 2 or more of the prior 5 years, the  
6 Secretary shall—

7 “(A) require the institution to submit, not later  
8 than 120 days after receiving notice of the deter-  
9 mination, a plan for coming into compliance with all  
10 requirements of this title; and

11 “(B) make the report publicly available.”.

12 **SEC. 5. PRIVATE RIGHT OF ACTION.**

13 Section 903 of the Education Amendments of 1972  
14 (20 U.S.C. 1683) is amended—

15 (1) by inserting “(a)” before “Any depart-  
16 ment”; and

17 (2) by adding at the end the following:

18 “(b) **RIGHT OF ACTION.**—An individual who applies  
19 to participate, participates, or previously participated in  
20 an education program or activity covered under this title,  
21 offered by a covered institution of higher education, may  
22 bring an action in any Federal or State court of competent  
23 jurisdiction against the institution, alleging a violation of  
24 this title. The court may award such legal or equitable  
25 relief as may be appropriate for such a violation. The legal

1 relief may include compensatory damages for emotional  
2 distress, humiliation, or pain and suffering.”.

3 **SEC. 6. TRAINING AND INFORMATION FOR ATHLETES.**

4 Title IX of the Education Amendments of 1972 (20  
5 U.S.C. 1681 et seq.) is amended—

6 (1) by repealing section 907, as so redesignated  
7 by section 3 of this Act,

8 (2) by redesignating section 905, as so redesign-  
9 nated by section 3 of this Act, as section 906; and

10 (3) by inserting after section 904, as added by  
11 this Act, the following:

12 **“SEC. 905. TRAINING AND INFORMATION.**

13 **“(a) TRAINING.—**

14 **“(1) COVERED SCHOOL SYSTEMS.—**

15 **“(A) EMPLOYEES.—**Each covered school  
16 system shall ensure that each title IX coordi-  
17 nator, and that each employee who works with  
18 athletics or teaches physical education or  
19 health, for the school system receives, at least  
20 once per year, training on the rights under this  
21 title of students at elementary schools or sec-  
22 ondary schools, and procedures for submitting  
23 complaints of violations of this title to the Of-  
24 fice for Civil Rights of the Department of Edu-  
25 cation.



1                   “(B) ELEMENTARY AND SECONDARY  
2 SCHOOL ATHLETES.—Each covered school sys-  
3 tem shall ensure that—

4                   “(i) a title IX coordinator for the sys-  
5 tem provides training to athletes at ele-  
6 mentary schools or secondary schools in  
7 the system on the rights of the athletes  
8 under this title, and procedures for submit-  
9 ting complaints of violations of this title to  
10 the Office for Civil Rights of the Depart-  
11 ment of Education; and

12                   “(ii) each such athlete receives that  
13 training at least once per year.

14                   “(C) DEFINITIONS.—In this section, the  
15 terms ‘elementary school’ and ‘secondary  
16 school’ have the meanings given the terms in  
17 section 8101 of the Elementary and Secondary  
18 Education Act of 1965 (20 U.S.C. 7801).

19                   “(2) COVERED INSTITUTIONS OF HIGHER EDU-  
20 CATION.—

21                   “(A) EMPLOYEES.—Each covered institu-  
22 tion of higher education shall ensure that each  
23 employee of the athletic department of the insti-  
24 tution receives, at least once per year, training  
25 on the rights under this title of students at cov-

1           ered institutions of higher education, and proce-  
2           dures for submitting complaints of violations of  
3           this title to the Office for Civil Rights of the  
4           Department of Education.

5           “(B) POSTSECONDARY SCHOOL ATH-  
6           LETES.—Each covered institution of higher  
7           education shall ensure that—

8                   “(i) an expert in matters relating to  
9                   this title, who is not an employee of the in-  
10                  stitution’s athletic department, provides  
11                  training to athletes at the institution on  
12                  the rights of the athletes under this title,  
13                  and procedures for submitting complaints  
14                  of violations of this title to the Office for  
15                  Civil Rights of the Department of Edu-  
16                  cation; and

17                   “(ii) each such athlete receives that  
18                  training at least once per year.

19           “(b) DATABASE.—The Secretary of Education shall  
20           establish and maintain a database of title IX coordinators,  
21           which shall be separate from the civil rights coordinators  
22           data maintained by the Office for Civil Rights of the De-  
23           partment of Education. The database shall include, at a  
24           minimum, the name, phone number, and email address for  
25           each title IX coordinator. The Secretary shall make the

1 information in the database available to the public with,  
2 and by the same means as, reports made available under  
3 section 485(g)(4)(B) of the Higher Education Act of 1965  
4 (20 U.S.C. 1092(g)(4)(B)).”.

5 **SEC. 7. OTHER DEFINITIONS.**

6 Title IX of the Education Amendments of 1972 (20  
7 U.S.C. 1681 et seq.) is amended—

8 (1) by redesignating section 909, as so redesign-  
9 nated by section 3, as section 907 and moving that  
10 section 907 to follow section 906 as so redesignated  
11 by this Act; and

12 (2) by adding at the end the following:

13 **“SEC. 909. OTHER DEFINITIONS.**

14 “In this title:

15 “(1) COVERED INSTITUTION OF HIGHER EDU-  
16 CATION.—The term ‘covered institution of higher  
17 education’ means an entity described in section  
18 908(2)(A).

19 “(2) COVERED SCHOOL SYSTEM.—The term  
20 ‘covered school system’ means an entity described in  
21 section 908(2)(B).

22 “(3) TITLE IX COORDINATOR.—The term ‘title  
23 IX coordinator’ means the individual who coordi-  
24 nates the efforts of a covered school system to com-

1       ply with, and carry out the system’s responsibilities  
2       under, this title.”.

3   **SEC. 8. RULE OF CONSTRUCTION.**

4       Nothing in this Act or the amendments made by this  
5   Act shall be construed to imply that intercollegiate athletic  
6   associations (as defined in the amendment made by sec-  
7   tion 3(1)) —

8           (1) are not covered by title IX of the Education  
9   Amendments of 1972 (20 U.S.C. 1681 et seq.); or  
10          (2) were not covered by that title on the day be-  
11   fore the date of enactment of this Act.

